STEVEN L. BESHEAR
GOVERNOR

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WATER
200 FAIR OAKS LANE
FRANKFORT, KENTUCKY 40601
www.kentucky.gov

LEONARD K. PETERS
SECRETARY

FACT SHEET

KENTUCKY POLLUTANT DISCHARGE ELIMINATION SYSTEM
PERMIT TO DISCHARGE TREATED WASTEWATER
INTO WATERS OF THE COMMONWEALTH

PERMIT No.: KY0003549 **Permit Writer:** Sara J. Beard **Date:** June 8, 2009
AI No.: 2928

1. SYNOPSIS OF APPLICATION

a. Name and Address of Applicant

Carbide Industries LLC
P.O. Box 67
Calvert City, Kentucky 42029

b. Facility Location

Carbide Industries LLC
Calvert City Plant
3204 Industrial Parkway
Calvert City, Marshall County, Kentucky

c. Description of Applicant's Operation

Carbide Industries produces acetylene, calcium carbide, carbon products, and calcium hydroxide (SIC Codes 2896, 2813, and 3274).

d. Production Capacity of Facility

N/A

e. Description of Existing Pollution Abatement Facilities

Outfall 001 – This outfall receives stormwater runoff from the northwest portion of the plant property. No treatment is provided.

Outfall 002 – The retention pond receives stormwater runoff from the majority of the plant property and surrounding acreage. Sedimentation and pH adjustment are provided prior to discharge.

Outfall 003 - Continuous discharge of boiler blowdown, vehicle wash water, cooling tower bleedoff, acetylene condensate, and stormwater runoff. pH adjustment is provided prior to discharge.

1. SYNOPSIS OF APPLICATION

f. Permitting Action

Renewal of a KPDES permit for an existing source producer of acetylene, calcium carbide, carbon products, and calcium hydroxide.

2. RECEIVING WATERS

a. Receiving Water Name

Outfalls 001 and 002 discharge to the Tennessee River at mile points 17.3 and 17.4, respectively.

Outfall 003 discharges to an unnamed tributary of the Tennessee River.

b. Stream Segment Use Classifications

The Tennessee River is classified as a Warmwater Aquatic Habitat, Primary Contact Recreation, Secondary Contact Recreation, and Outstanding State Resource Water.

c. Stream Segment Antidegradation Categorization

The Tennessee River is categorized as a High Quality Water.

d. Stream Low Flow Condition

At the point of discharge the 7Q10 and the Harmonic Mean for the Tennessee River are 5,000 cfs and 40,283 cfs, respectively.

At the point of discharge the 7Q10 and the Harmonic Mean for the unnamed tributary to the Tennessee River are 0.0 cfs and 0.0, respectively.

3. REPORTED DISCHARGE AND PROPOSED LIMITS

Description of Discharge - Outfall 001 – This outfall receives stormwater runoff from the northwest portion of the plant property. No treatment is provided.

Effluent Characteristics	Reported Discharge Monthly Average	Reported Discharge Daily Maximum	Proposed Limits Monthly Average	Proposed Limits Daily Maximum	Applicable Water Quality Criteria and/or Effluent Guidelines
Flow (MGD)	N/R	N/R	Report	Report	401 KAR 5:065, Section 2(8)
Precipitation (inches)	N/R	N/R	Report	Report	401 KAR 5:065, Section 2(8)
Hardness (as mg/l $CaCO_3$)	N/R	N/R	Report	Report	401 KAR 5:065, Section 2(8)
Total Suspended Solids (mg/l)	N/R	N/R	30	60	401 KAR 5:080, Section 1(2)(c)2
Oil & Grease (mg/l)	N/R	N/R	10	15	401 KAR 5:080, Section 1(2)(c)2
Total Recoverable Metals (mg/l)	N/R	N/R	Report	Report	401 KAR 5:065, Section 2(8)
pH (Standard Units)	N/R	N/R	6.0 (min)	9.0 (max)	401 KAR 10:031, Section 4

The data contained under the reported discharge columns are from the analysis of the DMR data that has been reported during the term of the current permit.

The abbreviation N/R means Not Reported.

The term Total Recoverable Metals means those metals listed on Form C, Section V, Part C – Metals, Cyanide, and Total Phenols: Antimony, Arsenic, Beryllium, Cadmium, Chromium, Copper, Lead, Mercury, Nickel, Selenium, Silver, Thallium, and Zinc

4. METHODOLOGY USED IN DETERMINING LIMITATIONS

a. Serial Number

Outfall 001 – This outfall receives stormwater runoff from the northwest portion of the plant property. No treatment is provided.

b. Effluent Characteristics

Flow	Precipitation
Hardness	Total Suspended Solids
Oil & Grease	Total Recoverable Metals
pH	

c. Pertinent Factors

On September 8, 2004 Kentucky's revised water quality standards, 401 KAR 10:031 became effective.

d. Monitoring Requirements

The flow shall be monitored instantaneously once per month.

Precipitation, Hardness, Total Suspended Solids, Oil & Grease, and pH shall be monitored once per month by grab sample.

Total Recoverable Metals shall be monitored once per quarter by grab sample.

e. Justification of Limits

The Kentucky Administrative Regulations (KARs) cited below have been duly promulgated pursuant to the requirements of Chapter 224 of the Kentucky Revised Statutes (KRSs).

Flow, Precipitation, Hardness, and Total Recoverable Metals
The monitoring requirements for these parameters are consistent with requirements of 401 KAR 5:065, Section 2(8).

Total Suspended Solids and Oil & Grease
The limits for these parameters are consistent with the requirements of 401 KAR 5:080, Section 1(2)(c)2. These limits are representative of the Division of Water's "Best Professional Judgement" (BPJ) determination of the "Best Conventional Pollutant Control Technology" (BCT) requirements for these pollutants.

pH
The limits for these parameters are consistent with the requirements of 401 KAR 10:031, Section 4.

5. REPORTED DISCHARGE AND PROPOSED LIMITS

Description of Discharge - Outfall 002 – The retention pond receives stormwater runoff from the majority of the plant property and surrounding acreage. Sedimentation and pH adjustment are provided prior to discharge.

Effluent Characteristics	Reported Discharge Monthly Average	Reported Discharge Daily Maximum	Proposed Limits Monthly Average	Proposed Limits Daily Maximum	Applicable Water Quality Criteria and/or Effluent Guidelines
Flow (MGD)	0.09	0.09	Report	Report	401 KAR 5:065, Section 2(8)
Precipitation (inches)	0.92	3.46	Report	Report	401 KAR 5:065, Section 2(8)
Hardness (as mg/l $CaCO_3$)	482.5	482.5	Report	Report	401 KAR 5:065, Section 2(8)
Total Suspended Solids (mg/l)	5	5	30	60	401 KAR 5:080, Section 1(2)(c)2
Oil & Grease (mg/l)	5.4	5.4	10	15	401 KAR 5:080, Section 1(2)(c)2
Total Recoverable Metals (mg/l)	0.21	0.24	Report	Report	401 KAR 5:065, Section 2(8)
pH (Standard Units)	6.1	8.7	6.0 (min)	9.0 (max)	401 KAR 10:031, Section 4

The data contained under the reported discharge columns are from the analysis of the DMR data that has been reported during the term of the current permit.

The term Total Recoverable Metals means those metals listed on Form C, Section V, Part C – Metals, Cyanide, and Total Phenols: Antimony, Arsenic, Beryllium, Cadmium, Chromium, Copper, Lead, Mercury, Nickel, Selenium, Silver, Thallium, and Zinc

4. METHODOLOGY USED IN DETERMINING LIMITATIONS

a. Serial Number

Outfall 002 – The retention pond receives stormwater runoff from the majority of the plant property and surrounding acreage. Sedimentation and pH adjustment are provided prior to discharge.

b. Effluent Characteristics

Flow	Precipitation
Hardness	Total Suspended Solids
Oil & Grease	Total Recoverable Metals
pH	

c. Pertinent Factors

On September 8, 2004 Kentucky's revised water quality standards, 401 KAR 10:031 became effective.

d. Monitoring Requirements

The flow shall be monitored instantaneously once per month.

Precipitation, Hardness, Total Suspended Solids, Oil & Grease, and pH shall be monitored once per month by grab sample.

Total Recoverable Metals shall be monitored once per quarter by grab sample.

e. Justification of Limits

The Kentucky Administrative Regulations (KARs) cited below have been duly promulgated pursuant to the requirements of Chapter 224 of the Kentucky Revised Statutes (KRSs).

Flow, Precipitation, Hardness, and Total Recoverable Metals
The monitoring requirements for these parameters are consistent with requirements of 401 KAR 5:065, Section 2(8).

Total Suspended Solids and Oil & Grease
The limits for these parameters are consistent with the requirements of 401 KAR 5:080, Section 1(2)(c)2. These limits are representative of the Division of Water's "Best Professional Judgement" (BPJ) determination of the "Best Conventional Pollutant Control Technology" (BCT) requirements for these pollutants.

pH
The limits for these parameters are consistent with the requirements of 401 KAR 10:031, Section 4.

7. REPORTED DISCHARGE AND PROPOSED LIMITS

Description of Discharge - Outfall 003 – Continuous discharge of boiler blowdown, vehicle wash water, cooling tower bleedoff, acetylene condensate, and stormwater runoff. pH adjustment is provided prior to discharge.

Effluent Characteristics	Reported Discharge Monthly Average	Reported Discharge Daily Maximum	Proposed Limits Monthly Average	Proposed Limits Daily Maximum	Applicable Water Quality Criteria and/or Effluent Guidelines
Flow (MGD)	4.14	8.07	Report	Report	401 KAR 5:065, Section 2(8)
Precipitation (inches)	1.98	3.51	Report	Report	401 KAR 5:065, Section 2(8)
Hardness (as mg/l $CaCO_3$)	131.5	142.2	Report	Report	401 KAR 5:065, Section 2(8)
Total Suspended Solids (mg/l)	8.7	11.2	30	60	401 KAR 5:080, Section 1(2)(c)2
Oil & Grease (mg/l)	5	5	10	15	401 KAR 5:080, Section 1(2)(c)2
Total Recoverable Metals (mg/l)	0.14	0.51	Report	Report	401 KAR 5:065, Section 2(8)
pH (Standard Units)	6.6	9.0	6.0 (min)	9.0 (max)	401 KAR 10:031, Section 4

The data contained under the reported discharge columns are from the analysis of the DMR data that has been reported during the term of the current permit.

The term Total Recoverable Metals means those metals listed on Form C, Section V, Part C – Metals, Cyanide, and Total Phenols: Antimony, Arsenic, Beryllium, Cadmium, Chromium, Copper, Lead, Mercury, Nickel, Selenium, Silver, Thallium, and Zinc

4. METHODOLOGY USED IN DETERMINING LIMITATIONS

a. Serial Number

Outfall 003 – Continuous discharge of boiler blowdown, vehicle wash water, cooling tower bleedoff, acetylene condensate, and stormwater runoff. pH adjustment is provided prior to discharge.

b. Effluent Characteristics

Flow	Precipitation
Hardness	Total Suspended Solids
Oil & Grease	Total Recoverable Metals
pH	

c. Pertinent Factors

On September 8, 2004 Kentucky's revised water quality standards, 401 KAR 10:031 became effective.

d. Monitoring Requirements

The flow shall be monitored instantaneously once per month.

Precipitation, Hardness, Total Suspended Solids, Oil & Grease, and pH shall be monitored once per month by grab sample.

Total Recoverable Metals shall be monitored once per quarter by grab sample.

e. Justification of Limits

The Kentucky Administrative Regulations (KARs) cited below have been duly promulgated pursuant to the requirements of Chapter 224 of the Kentucky Revised Statutes (KRSs).

Flow, Precipitation, Hardness, and Total Recoverable Metals
The monitoring requirements for these parameters are consistent with requirements of 401 KAR 5:065, Section 2(8).

Total Suspended Solids and Oil & Grease
The limits for these parameters are consistent with the requirements of 401 KAR 5:080, Section 1(2)(c)2. These limits are representative of the Division of Water's "Best Professional Judgement" (BPJ) determination of the "Best Conventional Pollutant Control Technology" (BCT) requirements for these pollutants.

pH
The limits for these parameters are consistent with the requirements of 401 KAR 10:031, Section 4.

13. ANTIDEGRADATION

The conditions of 401 KAR 10:029, Section 1 have been satisfied by this permit action. Since this permit action involves reissuance of an existing permit, and does not propose an expanded discharge, a review under 401 KAR 10:030 Section 1 is not applicable.

14. PROPOSED COMPLIANCE SCHEDULE FOR ATTAINING EFFLUENT LIMITATIONS

The permittee shall comply with the effluent limitations and permit conditions by the effective of the permit.

15. PROPOSED SPECIAL CONDITIONS WHICH WILL HAVE A SIGNIFICANT IMPACT ON THE DISCHARGE

Best Management Practices (BMP) Plan
Pursuant to 401 KAR 5:065, Section 2(10), a BMP requirement shall be included: to control or abate the discharge of pollutants from ancillary areas containing toxic or hazardous substances or those substances which could result in an environmental emergency; where numeric effluent limitations are infeasible; or to carry out the purposes and intent of KRS 224. The facility has several areas where support activities occur which have a potential of the discharge of such substances through storm water runoff or spillage. Some of these areas will drain to present wastewater treatment plants, others will not.

Cooling Water Additives, FIFRA, and Mollusk Control
The discharge of any product registered under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) in cooling water which ultimately may be released to the waters of the Commonwealth is prohibited, except Herbicides, unless specifically identified and authorized by the KPDES permit. In the event the permittee needs to use a biocide or chemical not previously reported for mollusk control or other purpose, the permittee shall submit sufficient information, a minimum of thirty (30) days prior to the commencement of use of said biocides or chemicals to the Division of Water for review and establishment of appropriate control parameters.

Outfall Signage
It is the Best Professional Judgment of the Division of Water, 401 KAR 5:080, Section 1(2)(c)2, that all permittees post a marker at all discharge locations and/or monitoring points. The marker shall be at least 2 feet by 2 feet in size and a minimum of 3 feet above ground level with the Permittee Name and KPDES permit and outfall numbers in 2 inch letters. For internal monitoring points the marker shall be of sufficient size to include the outfall number in 2 inch letters and is to be posted as near as possible to the actual sampling location.

16. PERMIT DURATION

Five (5) years. This facility is in the Four Rivers, Upper & Lower Cumberland River Basin Management Unit as per the Kentucky Watershed Management Framework.

17. PERMIT INFORMATION

The application, draft permit fact sheet, public notice, comments received, and additional information is available by writing the Division of Water at 200 Fair Oaks Lane, Frankfort, Kentucky 40601.

18. REFERENCES AND CITED DOCUMENTS

All material and documents referenced or cited in this fact sheet are a part of the permit information as described above and are readily available at the Division of Water Central Office. Information regarding these materials may be obtained from the person listed below.

19. CONTACT

For further information contact the individual identified on the Public Notice or the Permit Writer – Sara Beard at (502) 564-3410, extension 4925 or e-mail Sara.Beard@ky.gov.

20. PUBLIC NOTICE INFORMATION

Please refer to the attached Public Notice for details regarding the procedures for a final permit decision, deadline for comments and other information required by KAR 5:075, Section 4(2)(e).

KPDES

KENTUCKY POLLUTANT DISCHARGE ELIMINATION SYSTEM

PERMIT

PERMIT NO.: KY0003549
AI No.: 2928

AUTHORIZATION TO DISCHARGE UNDER THE KENTUCKY POLLUTANT DISCHARGE ELIMINATION SYSTEM

Pursuant to Authority in KRS 224,

Carbide Industries LLC
P.O. Box 67
Calvert City, Kentucky 42029

is authorized to discharge from a facility located at

Carbide Industries LLC
Calvert City Plant
3204 Industrial Parkway
Calvert City, Marshall County, Kentucky

to receiving waters named

Outfalls 001 and 002 discharge to the Tennessee River at mile points 17.3 and 17.4, respectively.

Outfall 003 discharges to an unnamed tributary of the Tennessee River.

in accordance with effluent limitations, monitoring requirements and other conditions set forth in PARTS I, II, III, IV, and V hereof. The permit consists of this cover sheet, and PART I 4 pages, PART II 1 page, PART III 1 page, and PART IV 3 pages.

This permit shall become effective on

This permit and the authorization to discharge shall expire at midnight,

Date Signed

Sandra L. Gruzesky, Director
Division of Water

A1. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning on the effective date of this permit and lasting through the term of this permit, the permittee is authorized to discharge from Outfall serial number: 001 - This outfall receives stormwater runoff from the northwest portion of the plant property. No treatment is provided.

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	Monthly Avg.	Daily Max.	Measurement Frequency	Sample Type
Flow (MGD)	Report	Report	1/Month	Instantaneous
Precipitation (inches)	Report	Report	1/Month	Grab
Hardness (as mg/l $CaCO_3$)	Report	Report	1/Month	Grab
Total Suspended Solids (mg/l)	30	60	1/Month	Grab
Oil & Grease (mg/l)	10	15	1/Month	Grab
Total Recoverable Metals (mg/l)	Report	Report	1/Month	Grab

The pH of the effluent shall not be less than 6.0 standard units or greater than 9.0 standard units, and shall be monitored 1/Month by Grab sample.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location: nearest accessible point after final treatment, but prior to actual discharge to or mixing with the wastestreams from other outfalls.

There shall be no discharge of floating solids or visible foam or sheen in other than trace amounts

The term Total Recoverable Metals means those metals listed on Form C, Section V, Part C – Metals, Cyanide, and Total Phenols: Antimony, Arsenic, Beryllium, Cadmium, Chromium, Copper, Lead, Mercury, Nickel, Selenium, Silver, Thallium, and Zinc

A2. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning on the effective date of this permit and lasting through the term of this permit, the permittee is authorized to discharge from Outfall serial number: Outfall 002 – The retention pond receives stormwater runoff from the majority of the plant property and surrounding acreage. Sedimentation and pH adjustment are provided prior to discharge.

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	Monthly Avg.	Daily Max.	Measurement Frequency	Sample Type
Flow (MGD)	Report	Report	1/Month	Instantaneous
Precipitation (inches)	Report	Report	1/Month	Grab
Hardness (as mg/l $CaCO_3$)	Report	Report	1/Month	Grab
Total Suspended Solids (mg/l)	30	60	1/Month	Grab
Oil & Grease (mg/l)	10	15	1/Month	Grab
Total Recoverable Metals (mg/l)	Report	Report	1/Month	Grab

The pH of the effluent shall not be less than 6.0 standard units or greater than 9.0 standard units, and shall be monitored 1/Month by Grab sample.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location: nearest accessible point after final treatment, but prior to actual discharge to or mixing with the wastestreams from other outfalls.

There shall be no discharge of floating solids or visible foam or sheen in other than trace amounts

The term Total Recoverable Metals means those metals listed on Form C, Section V, Part C – Metals, Cyanide, and Total Phenols: Antimony, Arsenic, Beryllium, Cadmium, Chromium, Copper, Lead, Mercury, Nickel, Selenium, Silver, Thallium, and Zinc

A3. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning on the effective date of this permit and lasting through the term of this permit, the permittee is authorized to discharge from Outfall serial number: 003 - Continuous discharge of boiler blowdown, vehicle wash water, cooling tower bleedoff, acetylene condensate, and stormwater runoff. pH adjustment is provided prior to discharge.

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	Monthly Avg.	Daily Max.	Measurement Frequency	Sample Type
Flow (MGD)	Report	Report	1/Month	Instantaneous
Precipitation (inches)	Report	Report	1/Month	Grab
Hardness (as mg/l $CaCO_3$)	Report	Report	1/Month	Grab
Total Suspended Solids (mg/l)	30	60	1/Month	Grab
Oil & Grease (mg/l)	10	15	1/Month	Grab
Total Recoverable Metals (mg/l)	Report	Report	1/Month	Grab

The pH of the effluent shall not be less than 6.0 standard units or greater than 9.0 standard units, and shall be monitored 1/Month by Grab sample.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location: nearest accessible point after final treatment, but prior to actual discharge to or mixing with the wastestreams from other outfalls.

There shall be no discharge of floating solids or visible foam or sheen in other than trace amounts

The term Total Recoverable Metals means those metals listed on Form C, Section V, Part C – Metals, Cyanide, and Total Phenols: Antimony, Arsenic, Beryllium, Cadmium, Chromium, Copper, Lead, Mercury, Nickel, Selenium, Silver, Thallium, and Zinc

B. Schedule of Compliance

The permittee shall comply with the effluent limitations and permit conditions by the effective date of the permit.

C. Cooling Water Additives, FIFRA, and Mollusk Control

The discharge of any product registered under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) in cooling water which ultimately may be released to the waters of the Commonwealth is prohibited, except Herbicides, unless specifically identified and authorized by the KPDES permit. In the event the permittee needs to use a biocide or chemical, not previously reported, for mollusk control or other purpose the permittee shall submit sufficient information, a minimum of thirty (30) days prior to the commencement of use of said biocides or chemicals, to the Division of Water for review and establishment of appropriate control parameters. Such information requirements shall include:

1. Name and general composition of biocide or chemical,
2. Any and all aquatic organism toxicity data,
3. Quantities to be used,
4. Frequencies of use,
5. Proposed discharge concentrations, and
6. EPA registration number, if applicable.

STANDARD CONDITIONS FOR KPDES PERMIT

This permit has been issued under the provisions of KRS Chapter 224 and regulations promulgated pursuant thereto. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits or licenses required by this Cabinet and other state, federal, and local agencies.

It is the responsibility of the permittee to demonstrate compliance with permit parameter limitations by utilization of sufficiently sensitive analytical methods.

The permittee is also advised that all KPDES permit conditions in KPDES Regulation 401 KAR 5:065, Section 1 will apply to all discharges authorized by this permit.

PART III

OTHER REQUIREMENTS

A. Reporting of Monitoring Results

Monitoring results obtained during each monitoring period must be reported on a preprinted Discharge Monitoring Report (DMR) Form that will be mailed to you. The completed DMR for each monitoring period must be sent to the Division of Water at the address listed below (with a copy to the appropriate Regional Office) postmarked no later than the 28th day of the month following the monitoring period for which monitoring results were obtained.

Division of Water
Paducah Regional Office
130 Eagle Nest Drive
Paducah, Kentucky 42003
ATTN: Supervisor

Energy and Environment Cabinet
Dept. for Environmental Protection
Division of Water/Surface Water Permits Branch
200 Fair Oaks Lane
Frankfort, Kentucky 40601

B. Reopener Clause

This permit shall be modified, or alternatively revoked and reissued, to comply with any applicable effluent standard or limitation issued or approved under 401 KAR 5:050 through 5:085, if the effluent standard or limitation so issued or approved:

1. Contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or

2. Controls any pollutant not limited in the permit.

The permit as modified or reissued under this paragraph shall also contain any other requirements of KRS Chapter 224 when applicable.

C. Outfall Signage

The permittee shall post a permanent marker at all discharge locations and/or monitoring points. The marker shall be at least 2 feet by 2 feet in size and a minimum of 3 feet above ground level with the Permittee Name and KPDES permit and outfall numbers in 2 inch letters. For internal monitoring points the marker shall be of sufficient size to include the outfall number in 2 inch letters and shall be posted as near as possible to the actual sampling location.

PART IV
BEST MANAGEMENT PRACTICES

SECTION A. GENERAL CONDITIONS

1. Applicability

These conditions apply to all permittees who use, manufacture, store, handle or discharge any pollutant listed as toxic under Section 307(a)(1) of the Clean Water Act, oil, as defined in Section 311(a)(1) of the Act, and any pollutant listed as hazardous under Section 311 of the Act and who have ancillary manufacturing operations which could result in (1) the release of a hazardous substance, pollutant, or contaminant in a reportable quantity, or (2) an environmental emergency, as defined in KRS 224.01-400, as amended, or any regulation promulgated pursuant thereto (hereinafter, the "BMP pollutants"). These operations include material storage areas; plant site runoff; in-plant transfer, process and material handling areas; loading and unloading operations, and sludge and waste disposal areas.

2. BMP Plan

The permittee shall develop and implement a Best Management Practices (BMP) plan consistent with 401 KAR 5:065, Section 2(10) pursuant to KRS 224.70-110, which prevents, or minimizes the potential for, the release of "BMP pollutants" from ancillary activities through plant site runoff; spillage or leaks, sludge or waste disposal; or drainage from raw material storage. A Best Management Practices (BMP) plan will be prepared by the permittee unless the permittee can demonstrate through the submission of a BMP outline that the elements and intent of the BMP have been fulfilled through the use of existing plans such as the Spill Prevention Control and Countermeasure (SPCC) plans, contingency plans, and other applicable documents.

3. Implementation

The plan shall be modified to implement the requirements of Section B - Specific Conditions as soon as possible but not later than one (1) year from the effective date of the permit.

4. General Requirements

The BMP plan shall:

a. Be documented in narrative form, and shall include any necessary plot plans, drawings or maps.

b. Establish specific objectives for the control of toxic and hazardous pollutants.

(1) Each facility component or system shall be examined for its potential for causing a release of "BMP pollutants" due to equipment failure, improper operation, natural phenomena such as rain or snowfall, etc.

(2) Where experience indicates a reasonable potential for equipment failure (e.g., a tank overflow or leakage), natural condition (e.g., precipitation), or other circumstances which could result in a release of "BMP pollutants", the plan should include a prediction of the direction, rate of flow and total quantity of the pollutants which could be released from the facility as result of each condition or circumstance.

c. Establish specific best management practices to meet the objectives identified under Paragraph b of this section, addressing each component or system capable of causing a release of "BMP pollutants."

d. Include any special conditions established in part B of this section.

e. Be reviewed by plant engineering staff and the plant manager.

5. Specific Requirements

The plan shall be consistent with the general guidance contained in the publication entitled "NPDES Best Management Practices Guidance Document" and shall include the following baseline BMP's as a minimum.

a. BMP Committee
b. Reporting of BMP Incidents
c. Risk Identification and Assessment
d. Employee Training
e. Inspections and Records
f. Preventive Maintenance
g. Good Housekeeping
h. Materials Compatibility
i. Security
j. Materials Inventory

6. SPCC Plans

The BMP plan may reflect requirements for Spill Prevention Control and Countermeasure (SPCC) plans under Section 311 of the Act and 40 CFR Part 151, and may incorporate any part of such plans into the BMP plan by reference.

7. Hazardous Waste Management

The permittee shall assure the proper management of solids and hazardous waste in accordance with the regulations promulgated under the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1978 (RCRA) (40 U.S.C. 6901 et seq.) Management practices required under RCRA regulations shall be referenced in the BMP plan.

8. Documentation

The permittee shall maintain a description of the BMP plan at the facility and shall make the plan available to the Director within one (1) year after the effective date of the permit. Copies of the BMP plan shall be sent to:

Division of Water
Paducah Regional Office
130 Eagle Nest Drive
Paducah, Kentucky 42003
ATTN: Supervisor

Energy & Environment Cabinet
Dept. for Environmental Protection
Division of Water/Surface Water Permits Branch
200 Fair Oaks Lane
Frankfort, Kentucky 40601

9. BMP Plan Modification

The permittee shall amend the BMP plan whenever there is a change in the facility or change in the operation of the facility which materially increases the potential for the ancillary activities to result in the release of "BMP pollutants."

10. Modification for Ineffectiveness

If the BMP plan proves to be ineffective in achieving the general objective of preventing the release of "BMP pollutants" then the specific objectives and requirements under Paragraphs b and c of Section 4, the permit and/or the BMP plan shall be subject to modification to incorporate revised BMP requirements. If at any time following the issuance of this permit, the BMP plan is found to be inadequate pursuant to a state or federal site inspection or plan review, the plan shall be modified to incorporate such changes necessary to resolve the concerns.

SECTION B. SPECIFIC CONDITIONS